



Entered on Docket
January 22, 2010

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

PITE DUNCAN, LLP
STEVEN W. PITE (NV Bar #008226)
EDDIE R. JIMENEZ (NV Bar #10376)
JACQUE A. GRUBER (NV Bar #11385)
4375 Jutland Drive, Suite 200
P.O. Box 17933
San Diego, CA 92177-0933
Telephone: (858) 750-7600
Facsimile: (619) 590-1385
E-mail: ecfnvb@piteduncan.com

ABRAMS & TANKO, LLP
MICHELLE L. ABRAMS (NV Bar #005565)
3085 S. Jones Blvd., Suite C
Las Vegas, NV 89146

Attorneys for Secured Creditor WELLS FARGO BANK, N.A., SUCCESSOR BY MERGER
TO WELLS FARGO BANK SOUTHWEST, N.A. FORMERLY KNOWN AS
WACHOVIA MORTGAGE, FSB, FKA WORLD SAVINGS BANK, FSB

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

JOHN E. MICHAEL ,

Debtor(s).

Bankruptcy Case No. BK-S-09-30313-mkn
Chapter 7

WELLS FARGO BANK, N.A.,
SUCCESSOR BY MERGER TO WELLS
FARGO BANK SOUTHWEST, N.A.
FORMERLY KNOWN AS WACHOVIA
MORTGAGE, FSB, FKA WORLD
SAVINGS BANK, FSB'S ORDER
TERMINATING AUTOMATIC STAY
Date: December 23, 2009
Time: 10:30 A.M.

1 A hearing on Secured Creditor Wells Fargo Bank, N.A., successor by merger to
2 Wells Fargo Bank Southwest, N.A. formerly known as Wachovia Mortgage, FSB, fka World
3 Savings Bank, FSB's Motion for Relief From the Automatic Stay came on regularly for hearing
4 in the United States Bankruptcy Court before the Honorable Mike K. Nakagawa.

5 The court having duly considered the papers and pleadings on file herein and
6 being fully advised thereon and finding cause therefor:

7 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

8 The automatic stay of 11 United States Code section 362 is hereby immediately
9 terminated as it applies to the enforcement by Movant of all of its rights in the real property
10 under the Note and Deed of Trust encumbering the real property commonly known as 2533 Via
11 Di Autostrada, Henderson, Nevada 89014 ("Real Property"), which is legally described as:

12 SEE LEGAL DESCRIPTION ATTACHED
13 HERETO AS EXHIBIT A AND MADE A PART
14 HEREOF.

15 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant may
16 offer and provide Debtor with information re: a potential Forbearance Agreement, Loan
17 Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and
18 may enter into such agreement with Debtor. However, Movant may not enforce, or threaten to
19 enforce, any personal liability against Debtor if Debtor's personal liability is discharged in this
20 bankruptcy case.

21 APPROVED/DISAPPROVED

22
23 _____
24 JAMES F. LISOWSKI, SR.
25 TRUSTEE

26 /././

27 /././

28 /././

ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ Approved. - Debtor(s)/Debtor(s)' Attorney/Trustee

☐ Disapproved. - Debtor(s)/Debtor(s)' Attorney/Trustee

☒ Failed to respond. - Trustee

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Submitted by:

/s/ JACQUE A. GRUBER
4375 Jutland Drive, Suite 200
P.O. Box 17933
San Diego, CA 92177-0933
(858) 750-7600
NV Bar #11385
Attorney for WELLS FARGO
BANK, N.A., SUCCESSOR
BY MERGER TO WELLS
FARGO BANK SOUTHWEST,
N.A. FORMERLY KNOWN AS
WACHOVIA MORTGAGE, FSB,
FKA WORLD SAVINGS BANK, FSB

EXHIBIT 'A'

File No.:

Property: **10405 Carmel Mountain Avenue, Las Vegas, NV 89144**

PARCEL ONE (1):

LOT SEVENTY-FOUR (74) IN BLOCK "D" OF DISCOVERY HILLS UNIT 3, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 72 OF PLATS, PAGE 51 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCEL TWO (2):

A NON-EXCLUSIVE EASEMENT APPURTENANT TO PARCEL ONE (1) FOR USE AND ENJOYMENT IN AND TO THE ASSOCIATION PROPERTY COMMON ELEMENTS AND PRIVATE STREETS AS SET FORTH IN THE MASTER DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS AND EASEMENTS FOR SUMMERLIN COMMUNITY ASSOCIATION RECORDED SEPTEMBER 25, 1990 IN BOOK 900925 AS DOCUMENT NO. 01274, AND AS FURTHER SET FORTH IN THE DECLARATION OF DEVELOPMENT COVENANTS AND RESTRICTIONS BY WOODSIDE HOMES OF NEVADA, INC., RECORDED SEPTEMBER 20, 1995 IN BOOK 950920 AS DOCUMENT NO. 01296, AS THE SAME MAY FROM TIME TO TIME BE AMENDED AND/OR SUPPLEMENTED, ALL IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

A.P.N. 137-25-518-027